

REMARKS/AGRUMENTS

In response to the above-identified Office Action, Applicants have amended their application and respectfully request reconsideration thereof.

Amendment of Claims

Claim 1 has been amended to clarify that the first called party is treated in a way that is responsive to receiving information that is specific to the second called party and different from the second called party. A number of limitations have been added to clarify this aspect. Similar limitations have been added to claims 38 and 39. Support for this amendment can be found throughout the description.

Claims 26-31 have been amended to remove the word "the".

Response to Claim Rejections – 35 USC § 102

Claims 25-39 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 5,875,422 (hereinafter Eslambolchi).

Applicants respectfully submit that claims 25-39 should not be rejected under 35 U.S.C. § 102(e) for the reason that Eslambolchi does not disclose each and every limitation of the claim 1, as amended, of their present application.

To anticipate a claim, the reference must teach every element of the claim.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

Claim 1, as amended, includes the following limitations:

treating the second called party in a first way; and

treating the first called party in a second way responsive to receiving information that is specific to the second called party.

The Office Action, in rejecting claim 1, contends that the above limitation is anticipated by the following disclosure in Eslambolchi:

Typically, the called party receives the same type of voice prompt provided to the calling party, namely to select a language preference for translation of the speech uttered by the other party. Should the called party be geographically located in a region whose residents primarily speak one language (say, Spanish), the prompt to the called party would be in that language. After the called party has answered, signaling information is communicated back to the switch 16 to facilitate call set-up, and to initiate the desired billing, if any for the language translation service.

Col. 3, lines 32-41

The above disclosure from Eslambolchi describes the language of a voice prompt. Usually the calling and called parties receive a voice prompt in the same language; however, a called party may also receive a voice prompt in a different language, the language spoken in the geographic region where the called party resides (e.g., when calling Mexico prompt in Spanish).

Claim 1 requires treating a first called party in a second way responsive to receiving information that is specific to a second called party. Merely, for example, a

first called party may be asked a question #2 instead of a question #1 because the second called party responded to the question #1 by hanging up. In contrast, the above quote from Eslambolchi does not describe treating a first called party in a second way responsive to receiving information that is specific to a second called party; but rather, prompting a called party in the same language as the caller or in a language that is native to a geographic location of the called party. Clearly, the language of the prompt is determined by the language of the calling party or called party, each of which are originating and terminating parties of the *same* call. Even if, as the Office Action indicates (paragraph 7), that a called party may note a desire for the call to be made in a different language, in no way does the above quote from Eslambolchi disclose treating a first called party in a second way responsive to receiving information that is specific to a second called party. Eslambolchi therefore cannot be said to anticipate the above quoted limitation because Eslambolchi discloses that the language of a prompt to a called party is determined by the language of the calling party, the geographic region of the called party or the preference of the called party and claim 1 requires treating a first called party in a second way responsive to receiving information that is specific to a second called party.

In summary, Eslambolchi does not disclose each and every limitation of claim 1, as required to support a rejection of this claim under 35 U.S.C. § 102(e).

Independent claims 38 and 39 each include a limitation corresponding substantially to the above-discussed limitation of claim 1. The above remarks are accordingly also applicable to a consideration of these independent claims. Accordingly, Applicants request that the above remarks and amendments contained herein also be considered when examining these other independent claims for allow ability.

As dependent claims are deemed to include all limitation of claims from which they depend, the rejection of claims 26-37 under 35 U.S.C. 102 is also addressed by the above remarks, and the amendments contained herein.

In summary, Applicants believe that all rejections presented in the Office Action have been fully addressed and withdrawn of these rejections is respectfully requested. Applicants furthermore believe that all claims are now in a condition for allowance, which is earnestly solicited.

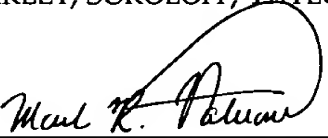
If there are any additional charges, please charge Deposit Account No. 02-2666.

If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact Mark Vatuone at (408) 947-8200.

Respectfully submitted,

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Dated: 4/20, 2004



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